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QUESTION OF THE REALIZATION IN ALL COUNTRIES OF THE ECONOMIC, SOCIAL AND CULTURAL RIGHTS CONTAINED IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND IN THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, AND STUDY OF SPECIAL PROBLEMS, WHICH THE DEVELOPING COUNTRIES FACE IN THEIR EFFORTS TO ACHIEVE THESE HUMAN RIGHTS

Note verbale dated 12 March 1997 from the Permanent Mission of Myanmar to the United Nations Office at Geneva addressed to the Secretariat of the Commission on Human Rights

The Permanent Mission of the Union of Myanmar to the United Nations Office and other International Organizations in Geneva presents its compliments to the secretariat of the fifty-third session of the Commission on Human Rights and has the honour to enclose herewith a copy of the letter No. 68/3-27/02(20) dated 19 February 1997 addressed to Mme Fatma Zohra Ksentini, Special Rapporteur of the Commission on Human Rights on toxic wastes, from U Aye, Ambassador/Permanent Representative of the Union of Myanmar, a reply to the Special Rapporteur's letter No. G/SO 234(17-6) of 6 February 1997, requesting cooperation in clarifying the substance of the allegations attached thereto, and any information or observations deemed pertinent.

The Permanent Mission would be grateful if the aforementioned letter could kindly be circulated as a document of the fifty-third session of the Commission on Human Rights, under agenda item 5.

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* The attachment is circulated in the language of submission only.

Dear Mme Special Rapporteur,

I wish to refer to your letter No. G/SO 234(17-6) of 6 February 1997 by which, in your capacity as Special Rapporteur on toxic wastes, you have brought to my Government's attention allegations in which my country is said to be concerned as a State where traffic of toxic or dangerous products and waste originate or as a State recipient of such traffic. You have attached a summary of these allegations with a request for cooperation in clarifying the substance of these allegations and in providing any information or observations deemed pertinent.

It is a well-known fact that Myanmar is neither a State where illicit traffic of toxic or dangerous products and wastes originate nor a State recipient of such traffic. In this context, therefore, a classification of the substance of the allegations is not necessary.

However, the allegations referred to in your letter seem to be related to alleged human rights violations in the context of the construction of a natural gas pipeline in Myanmar. We therefore provide you with relevant information and observations in order to enable you to understand the actual situation regarding this matter:

The natural gas fields in the Gulf of Mottamma are being developed with the participation of TOTAL of France, UNOCAL and TEXACO of the United States of America and some other foreign oil companies.

Natural gas from the Yadana Gas Field is contracted to be sold to Thailand, and at present a pipeline is being laid by TOTAL and UNOCAL to carry the gas to the Myanmar-Thai border. The route selected for this gas pipeline is the one that poses the least threat to the environment and does not pass through any village. The two foreign oil companies involved in this project are actually helping the people living along the route of the pipeline. Workers are hired by these companies and are paid more than local rates. No one has been forced to work in these projects. There are no human rights violations. The oil companies have even built schools and health clinics and initiated agricultural, prawn-breeding projects as well as shrimp, poultry, pig and goat farms in the villages along the route to provide new economic opportunities for the villagers, thus improving significantly the lives of the local populace.

The Government of the Union of Myanmar, with the active participation of the people, has been making efforts towards achieving peace and stability within the country and for the all-round development of the nation. Major restructuring of the economy was carried out within the context of a market-oriented economy. The Myanmar Oil and Gas Enterprise under the Ministry of Energy is undertaking oil and natural gas explorations and production in collaboration with international oil companies.

Moreover, the Government and the companies concerned have undertaken to provide facilities for independent media persons and concerned officials from Western countries to make extensive tours of the areas in question and these sources have not supported any of the allegations mentioned in your report.

Mme Special Rapporteur, may I observe that the allegations contained in your letter are unfounded and totally untrue. They emanate from the opponents of the Government of the Union of Myanmar, residing within and outside the country. The purpose of their action is to denigrate the Government and the Armed Forces of the Union of Myanmar. They have their own ulterior political motives.

News cuttings regarding this matter are attached herewith for your perusal. I trust that the information provided will help dispel misconceptions and false allegations that there exist human rights violations in the construction of the natural gas pipeline in Myanmar.

Signed: U Aye
Ambassador
Permanent Representative